

JOURNAL OF THE HOUSE

EIGHTY-NINTH SESSION

SECOND DAY

STATE OF SOUTH DAKOTA
House of Representatives, Pierre
Wednesday, January 15, 2014

The House convened at 1:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Bishop David Zellmer, followed by the Pledge of Allegiance led by House page Chesney Garnos.

Roll Call: All members present except Rep. Killer who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the first day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Brian G. Gosch, Chair

Which motion prevailed.

REPORTS OF JOINT-SELECT COMMITTEES

MR. SPEAKER:

Your Joint-Select Committee appointed for the purpose of conferring with the Director of the Legislative Research Council in regard to making arrangements for the distribution of the official directory, House and Senate journals and bills, and other legislative printing for the two houses and the state offices with the full power to act respectfully reports that:

The Legislature orders 170 copies of the Senate and House bills and resolutions (each); and 100 copies of the Senate and House daily journals (each) for the Eighty-ninth Legislative Session.

The free distribution of sets of bills, resolutions, and daily journals shall be as follows:

Eight copies for the Governor's Office, thirteen copies for the Supreme Court, eleven copies for the Legislative Research Council, four copies for the State Library Depository, three copies for the Attorney General, two copies for the Bureau of Finance and Management, four copies for the Secretary of State, two copies for the Department of Legislative Audit, one copy for the Code Commission, one copy for the State Treasurer, one copy for the State Auditor, one copy for the Commissioner of School and Public Lands, one copy for the Public Utilities Commission, and press copies as needed. Accomplishment of this distribution may be satisfied, in whole or in part, by obtaining electronic copies of these documents from the legislative Web site.

State's Attorneys and County Auditors shall receive free copies of bills and journals if they pay mailing charges at a rate of \$50 per set (bills or journals) for first-class mailing.

Distribution of bills and journals to state officials, boards, commissions, and institutions will be made upon request in writing to the Legislative Documents Room at a charge of \$170 per set of bills and \$100 per set of journals plus mailing charges, if applicable.

One copy of the official directory (red book) shall be distributed to each Senator and Representative, four copies to the State Library, three copies to the Secretary of State and a copy shall also be made available to state departments and the press upon request to the Director of the Legislative Research Council. The public may obtain a copy for a fee of \$7 payable to the Legislative Documents Room.

One free copy of the South Dakota Legislative Index shall be distributed to the Governor, the Lieutenant Governor, the Attorney General and the Supreme Court; four free copies to the State Library Depository; and one free copy to Senators and Representatives. Upon written request to the Legislative Documents Room before January 31, 2014, all other state and private entities may purchase the South Dakota Legislative Index at a cost of \$50 per copy.

The Chief Mailing Clerk shall upon written request furnish any individual, firm, corporation, association, or other organization with a set of House and Senate bills for \$170 per set and a set of journals for \$100 per set for the Eighty-ninth Legislative Session, plus mailing charges, if applicable.

Legislators may have two copies of all bills and resolutions and two copies of the daily journals distributed or mailed to constituents within the legislator's own district if constituents or legislators pay mailing charges of \$50 per set for first-class mailing.

Registered lobbyists shall be entitled to one copy of the official directory upon payment of the \$40 registration fee to the Secretary of State; and upon payment of an additional \$170 per set of bills and \$100 per set of journals plus mailing charges, if applicable, to the Legislative Documents Room, shall be entitled to one copy of all bills and resolutions or journals pursuant to SDCL 2-12-3.

Bill status reports will be printed and sold to state agencies at cost and to registered lobbyists for \$200 payable to the Legislative Documents Room which receipted funds shall be used to pay the printing costs. If bill status is mailed, the cost is \$125 for first-class postage.

A free daily copy of the bill status report shall be distributed as follows:

Governor; Speaker of the House; Speaker Pro tempore of the House; House Majority Leader; House Minority Leader; House Lobby; Chief Clerk of the House; Lieutenant Governor; President Pro tempore of the Senate; Senate Majority Leader; Senate Minority Leader; Senate Lobby; Secretary of the Senate; Page Advisor; Attorney General; Bureau of Finance and Management; Secretary of State; Treasurer's Office; Auditor's Office; Office of School and Public Lands; and Legislative Research Council. Accomplishment of this distribution may be satisfied, in whole or in part, by obtaining electronic copies of these documents from the legislative Web site.

The Chief Mailing Clerk shall at the end of the session file a report with the Director of the Legislative Research Council of all money paid for the purchase of bills and journals and show proof of having deposited such money with the State Treasurer. Such funds shall be used to offset the costs of postage and printing of bills and journals.

Respectfully submitted,
Steven Westra
Kristin Conzet
Scott Parsley
House Committee

Respectfully submitted,
Dan Lederman
Ryan Maher
Billie Sutton
Senate Committee

Also MR. SPEAKER:

Your Joint-Select Committee appointed relative to securing chaplains for the Eighty-ninth Legislative Session respectfully reports:

We have conferred with the Pierre/Ft. Pierre Ministerial Association and have arranged for ministers to participate on a part-time basis under the direction of Pastor Sarah Goldammer, Lutheran Memorial Church, as chief chaplain, to serve the Senate and House as chaplains throughout the Eighty-ninth session of the Legislature. The chaplains are as follows:

1 John Armstrong, Dan Bader, Josh Baumann, Don Block, Paul Bly, Larry Cass, Kristopher
2 Cowles, John Fette, Sarah Goldammer, Michael Griffin, Mercy Hobbs, David Hussey, Fred
3 MacDonald, Auggie Minzlaff, Sunshine Minzlaff, J. P. Mosley, Jr., Dodie Noordermeer, Brad
4 Urbach, and David Zellmer.

5 Respectfully submitted,
6 Scott Craig
7 Steve Hickey
8 Dennis Feickert
9 House Committee

Respectfully submitted,
Larry Rhoden
Bill Van Gerpen
Larry Lucas
Senate Committee

10 Also MR. SPEAKER:

11 Your Joint-Select Committee appointed to make arrangements for legislative days
12 respectfully reports that we recommend the days of the Eighty-ninth Legislative Session be
13 January 14 through January 17, January 21 through January 24, January 28 through January 31,
14 February 4 through February 7, February 10 through February 13, February 18 through
15 February 21, February 24 through February 27, March 3 through March 6, March 10 through
16 March 14, and March 31.

17 Respectfully submitted,
18 Scott Munsterman
19 Jacqueline Sly
20 Peggy Gibson
21 House Committee

Respectfully submitted,
Corey Brown
Tim Rave
Jason Frerichs
Senate Committee

22 Also MR. SPEAKER:

23 Your Joint-Select Committee appointed for the purpose of fixing the compensation of the
24 elective and appointive officers and employees of the House and Senate for the Eighty-ninth
25 Legislative Session, pursuant to SDCL 2-5-8, respectfully reports that a salary schedule for the
26 elective and appointive officers and employees has been developed and filed with the Director
27 of the Legislative Research Council and the State Auditor.

28 In regard to the system for payment of travel expenses to legislators we respectfully report
29 that:

30 (1) A form listing each weekend during session will be delivered to legislators. Legislators
31 will be asked to list their travel on that single sheet which would be signed and turned in
32 at the close of session. Also, pursuant to statute, a voucher must also be signed by each
33 legislator requesting travel reimbursement.

34 (2) Legislators driving their own car home for a weekend will receive mileage paid at state
35 rates (37 cents per mile). Legislators not driving home will not be entitled to
36 reimbursement unless they leased a vehicle or somehow incurred an expense, equivalent
37 to 37 cents per mile, in such travel.

1 (3) Legislators flying commercially will receive the equivalent of flight expenses as long
2 as it does not exceed 37 cents per mile.

3 (4) Legislators flying charter or in their own plane will be reimbursed for actual expenses
4 as long as it does not exceed 37 cents per mile.

5 (5) A maximum of ten trips will be considered for the 2014 Legislative Session, including
6 the trip for the final legislative day.

7 (6) Pursuant to constitutional provisions, legislators will be paid for their initial trip to
8 Pierre and their final trip home at the rate of 5 cents per mile.

9 Respectfully submitted,
10 Brian Gosch
11 David Lust
12 Bernie Hunhoff
13 House Committee

Respectfully submitted,
Corey Brown
Dan Lederman
Jason Frerichs
Senate Committee

14 Also MR. SPEAKER:

15 Your Joint-Select Committee appointed to make arrangements for a Memorial Service for
16 deceased former members of the South Dakota House of Representatives and Senate
17 respectfully reports that they recommend that the House of Representatives and Senate recess
18 and convene in the House Chamber at 3:00 p.m. on January 23, 2014, and that a Joint Memorial
19 Resolution be introduced in their memory by their colleagues in the House of Representatives
20 and Senate.

21 A short program will follow the introduction of the Memorial Resolution. At the
22 conclusion of the Memorial Service, the Joint Session will be dissolved.

23 The Memorial Resolution shall be printed in the House and Senate Journals.

24 Respectfully submitted,
25 Hal Wick
26 Scott Craig
27 Steve Hickey
28 Dennis Feickert
29 House Committee

Respectfully submitted,
Mike Vehle
Phyllis Heineman
Jim Bradford
Senate Committee

30 MOTIONS AND RESOLUTIONS

31 Rep. Sly moved that HCR 1001 and 1002 be deferred to Thursday, January 16, the
32 3rd legislative day.

33 Which motion prevailed.

Rep. Steele moved that the House do now adjourn, which motion prevailed and at 1:24 p.m. the House adjourned.

Arlene Kvislen, Chief Clerk

JOINT SESSION

Pursuant to the report of the Joint-Select Committee, as found on page 15 of the House Journal, the Senate convened with the House of Representatives in the House Chamber for the purpose of receiving a message from the Chief Justice of the Supreme Court, David Gilbertson. The President of the Senate, Matt Michels, presided.

The following prayer was delivered by Chaplain, Bishop David Zellmer, South Dakota Synod of the ELCA, Sioux Falls, South Dakota:

O God of all Creation, in the words from Proverbs you tell us that you give wisdom and "store up sound wisdom for the upright; they are a shield to those who walk blamelessly and preserving the way of his faithful one..." Proverbs 2:6&7

On this day we remember in prayer those men and women who go in harms way on our behalf, who keep us safe both day and night. We pray for their families in their waiting and ask that those who serve might return home safely. We pray for the men and women who have been set aside as Justices and Judges, that they might be blessed with Your abiding wisdom and courage, so that justice and mercy might prevail for the people of South Dakota. We pray as well for our Governor and Legislators and all those who hold elected or appointed office, bless this legislative session that through their work what is best for all might be set forth.

In Your Holy Name we Pray. Amen.

The Secretary of the Senate, Jeannette Schipper, called the roll of the Senate and the following members were present:

Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman, Phyllis; Holien; Hunhoff, Jean; Jensen; Jones, Chuck; Jones, Tom; Kirkeby; Krebs; Lederman; Lucas; Maher; Monroe; Novstrup, Al; Omdahl; Otten, Ernie; Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White.

The Chief Clerk of the House of Representatives, Arlene Kvislen, called the roll of the House and the following members were present:

Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggard, Don; Haggard, Jenna; Hajek; Hawks; Hawley; Heinemann; Heinert; Hickey; Hoffman; Hunhoff, Bernie; Johns; Kaiser; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup, David; Olson, Betty; Otten, Herman; Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;

1 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;
2 Speaker Gosch.

3 Sen. Rave moved that a committee of three on the part of the Senate and a committee of
4 five on the part of the House be appointed to escort the Honorable David Gilbertson, Chief
5 Justice of the state of South Dakota, to the rostrum.

6 Which motion prevailed and the President appointed as such committee Sens. Brown,
7 Rave, and Frerichs on the part of the Senate and Reps. Lust, Wink, Cronin, Bernie Hunhoff, and
8 Bartling on the part of the House.

9 The Sergeant at Arms announced the arrival of Chief Justice David Gilbertson, who was
10 escorted to the rostrum.

11 The Lieutenant Governor, Matt Michels, introduced the Honorable David Gilbertson, who
12 delivered the State of the Judiciary Address.

13 Sen. Rave moved that the Joint Session do now dissolve.

14 Which motion prevailed.

